



**MINUTES
CITY COUNCIL MEETING
September 15, 2020**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Due to the COVID-19 health pandemic, members of the Long Lake City Council attended the meeting telephonically pursuant to Minn. Stat. 13D.021.

Present: Mayor: Charlie Miner; Council: Tom Skjaret, Jahn Dyvik, Michelle Jerde, and Deirdre Kvale

Due to the COVID-19 health pandemic, the Long Lake City Council attended the meeting telephonically pursuant to Minn. Stat. 13D.021.

Staff Present: City Administrator: Scott Weske (in person); Planning Consultant: Hannah Rybak, WSB (telephonic); Engineering Consultant: Shelly Hanson, WSB (telephonic); and City Clerk: Jeanette Moeller (in person)

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

The September 15 EDA meeting was cancelled due to a lack of agenda business.

City Clerk Moeller had sent out electronic communications highlighting a hazardous household waste collection event on the coming Friday and Saturday, to be held at the Hennepin County Public Works Orono shop location.

APPROVE AGENDA

A motion was made by Dyvik, seconded by Jerde, to approve the agenda as presented. Ayes: all by roll call.

CONSENT AGENDA

- A. Approve Minutes of September 1, 2020 City Council Work Session
- B. Approve Minutes of September 1, 2020 City Council Meeting
- C. Receive Unofficial Draft Minutes of August 18, 2020 Economic Development Authority Meeting
- D. Approve Vendor Claims and Payroll
- E. Adopt Resolution No. 2020-28 Approving a Minnesota Lawful Gambling Premises Permit Application for the Northwest Area Jaycees at Carbone's Pizzeria Restaurant

Mayor Miner noted that Moeller had advised him of a slight error in the resolution for Consent Agenda Item 5E whereby the name of the restaurant in a paragraph of the resolution needed to be corrected. She has already made the correction to the original.

*A motion was made by Skjaret, seconded by Jerde, to approve the Consent Agenda as presented.
Ayes: all by roll call.*

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Planning Case #2020-03 / Request for Approval of a Master Development Plan for a Planned Unit Development; a Rezoning to a Planned Unit Development; and a Preliminary Plat for The Borough Apartment Project to be Located at 455 – 545 Virginia Avenue and 2045 Wayzata Boulevard W

Planning Consultant Hannah Rybak introduced herself to the City Council, indicating that she has been working with Long Lake since the departure of former consultant Peggy Sue Imihy. She stated that it has been great working with staff so far, and she is glad to see some planning cases coming to fruition.

Rybak gave an overview of the project location and the applicant's request for rezoning to PUD, approval of a PUD Master Development Plan, and Preliminary Plat. She described the layout and breakdown of the multiple multi-family buildings and units proposed, and explained that the preliminary plat will include all of the properties described in the application with the property at 525 Virginia Avenue identified as a separate parcel. She explained that the owner of the 525 Virginia Avenue parcel had consented to be included in the plat and PUD process, recognizing that she is not obligated to sell at this time. The first phase of The Borough would be construction of 62 units in multiple buildings, and the final phase would be a last building with eight units to be located at the 525 Virginia Avenue site, should the owner want to sell in the future.

Rybak confirmed that the application requires no variances, meets the requirements of the PUD district, and meets height, setback, parking and landscaping requirements.

Engineering consultant Hanson indicated that WSB had reviewed the hardcover and stormwater plan for the project. The applicant has submitted plans to the MCWD and plans are under review by their office at this time. Underground stormwater treatment is proposed. The fire suppression system will be designed to meeting building code requirements. An additional hydrant will be added at the corner of Brown Road N and Wayzata Boulevard W as required by the Fire Chief. The Fire Chief also had concerns about the design of the turnaround and will be working with the applicant on changes to accommodate fire equipment. Final details of hydrant locations will be subject to approval by the Fire Chief. Review of all water and sewer utilities, locations, sizing and capacity will be conducted. Soil correction will be required if soil boring testing deems correction necessary. The developer will be submitting a traffic analysis memo to analyze site distances, turning movements, and looking at parking. Hanson noted that street parking on Virginia Avenue is utilized periodically, and as part of the ongoing review, parking accommodations will be looked at. The traffic analysis memo will require review and approval by staff. In addition to City permitting, other permits expected to be needed include permitting by the MCWD, MPCA, MDH and Hennepin County.

Rybak reported that the Planning Commission had completed the Design Review, reviewing the materials and design of the two different types of buildings to be incorporated in the project. The Planning Commission voted unanimously to approve the Design Worksheet for compliance with the City's Village Design Guidelines and was very satisfied with the type of buildings the developer had brought forth.

Further, the Planning Commission unanimously recommended the City Council adopt an ordinance rezoning the subject properties to PUD; and adopt the resolution approving the request for a PUD

Master Development Plan and a Preliminary Plat, subject to the condition that the following detailed plans and information are provided prior to building permit issuance:

1. Final building elevations and floor plans shall be provided, including a list of materials, and drawn to clearly show the design intent;
2. All requirements listed in the Engineering Comments section of this report shall be addressed to the satisfaction of the City Engineer;
3. All requirements listed in the Fire Comments section of this report shall be addressed to the satisfaction of the Fire Chief;
4. Any alterations to the Master Development Plan must be reviewed by the City Planner. Any major alterations will require the amended Master Development Plan be brought back to the Planning Commission and City Council for review;
5. A signed development agreement and financial security is submitted.

Council member Kvale questioned how many extra spaces were allocated in the plan that were free and not located in front of garages.

Ben Landhauser, Lifestyle Communities, highlighted the distribution of parking within the development calling out areas of excess parking within the plan. He indicated that they have provided around 20 extra parking spaces above the required spaces for the 70 total units. He responded to Council questions regarding traffic flow within the development, and explained that the 525 Virginia Avenue parcel will have an ingress/egress easement across the development site to assure clear access. Mr. Landhauser added that the development plan reflects kind of a Lot 1 and Lot 2 phased development to assume that the owner of the 525 parcel is unlikely to want to be part of the development at this time. In future should the owner decide to sell, Lifestyle Communities would likely make an application to the City to replat and combine the development under one lot.

Mr. Landhauser responded to Council member questions regarding whether there would be room for parallel parking on Virginia Avenue; confirmed the rebuild of Virginia Avenue would be the developer's responsibility; clarified the total number of units to be included in the development; discussed landscape or other buffers that the developer intends to employ for the 525 parcel; and clarified how the grade and elevation of the properties will impact the appearance of the development.

Administrator Weske stated that he is not anticipating there will be parking issues in relation to City Hall, noting that the development will have more of a townhome style feel with owners likely to utilize their garages, rather than being a rental apartment style where four to five people with cars may be living in a three-bedroom unit. He added that for 90% of the year there are only three cars parked in the City Hall lot. He reflected that City Hall may have opportunities to expand parking in the future. He affirmed that the development could also give cause to reinforce no through truck traffic on Daniels Street.

Council member Dyvik observed that City Hall will be on a higher grade than areas of the development and the peak of City Hall will appear taller than some of the buildings as the grade steps down. Weske emphasized that the setback of the development will be measured not from the curb but from where right of way ends and the property line lies.

A motion was made by Skjaret, seconded by Jerde, to adopt Ordinance No. 2020-03 rezoning the subject parcels to a Planned Unit Development; and to adopt Resolution No. 2020-31 approving the request for a Master Development Plan for a Planned Unit Development and a Preliminary Plat for The Borough apartment community to be located at the subject properties with the condition that the following detailed plans and information are provided prior to building permit issuance:

1. *Final building elevations and floor plans shall be provided, including a list of materials, and drawn to clearly show the design intent;*

2. *All requirements listed in the Engineering Comments section of this report shall be addressed to the satisfaction of the City Engineer;*
3. *All requirements listed in the Fire Comments section of this report shall be addressed to the satisfaction of the Fire Chief;*
4. *Any alterations to the Master Development Plan must be reviewed by the City Planner. Any major alterations will require the amended Master Development Plan be brought back to the Planning Commission and City Council for review;*
5. *A signed development agreement and financial security is submitted.*

Ayes by roll call: Skjaret, Dyvik, Jerde, and Miner. Nay by roll call: Kvale. Motion carried.

Rybak responded to questioning by Council member Dyvik and Mayor Miner, stating that the Planning Commission had no major concerns with the development proposal and were overall really happy with the presentation. Given the maximum number of bedrooms is two within a unit, the Commission found parking arrangements to exceed ordinance requirements and was comfortable with the parking proposed. They did not bring up the 70 total units as an issue, nor were there any concerns about layout. She indicated that several individuals attended the public hearing at the Commission's meeting, and those who spoke were supportive of the project.

Mayor Miner commented that the approval of this application represents a major milestone for the Virginia Avenue residents.

Tim Nichols, Lifestyle Communities, thanked Council for their approval, stating that he believes the project will be a unique opportunity.

Mr. Landhauser provided an update on the status of the TIF application process that is currently underway. There has also been discussion with the City Attorney regarding drafting a Developer's Agreement. The Virginia Avenue property owners have been very engaged in the process and Mr. Landhauser believes Lifestyle Communities is in good standing to hit additional milestones for the project in the near future.

Adoption of Preliminary 2021 Preliminary Levy; Establish Truth in Taxation Public Meeting Date to Discuss Levy and Proposed Budget

Weske opened by explaining that the preliminary levy needs to be adopted and certified by September 30, and must be followed by a Truth in Taxation meeting and final levy adoption in December. The final levy may be lower than the preliminary levy, but may not be higher.

Weske recalled that the Council has been holding budget work session discussions over the past couple months. He reported that the current recommended preliminary levy would amount to \$1,251,964.66, resulting in the City's tax rate remaining unchanged from the previous year. Weske reviewed 2021 budget assumptions and considerations factoring into the proposed 2021 budget and levy recommendation. The 2021 preliminary levy proposal would result in a surplus of \$137,165 while keeping the City's tax rate the same; allowing for not levying for the 2021 bond payment for the Series 2013A bond; transferring \$18,077 and \$69,119 into a new Pavement Management Fund where future franchise fees will also be allocated to fund PMP projects; and leaving \$50,000 available as a General Fund surplus to fund previously unbudgeted capital improvements. Potential capital improvements that could be funded would include examples such as upgrading Holbrook Park rink flooding equipment, retrofitting street lights in the community to LED lights, or vinyl wrapping the electric utility cabinets in the Wayzata Boulevard W corridor through downtown.

Weske clarified that the budget overview documentation reflects increases and areas where departments were able to be reduced for 2020.

Council member Dyvik questioned how the Police contract with Wayzata may be affected as the City increases in residential units and population. Weske explained that the contract is not based on call hours as the Fire Department is, but instead is based on the CPI. The year to year pricing reflects that year to year pricing may increase a minimum of 2% based on CPI but cannot exceed 5%. Council member Skjaret recalled that when the 10 year Police contract extension was proposed a few years ago, discussion included giving consideration to a population increase, and the limit to the potential annual increase was a factor that encouraged him to agree with the longer contract extension. He noted that in previous years the annual increase in contract pricing was closer to 7%.

A motion was made by Dyvik, seconded by Skjaret, to adopt Resolution No. 2020-29 establishing the preliminary property tax levy payable in 2021 for the City of Long Lake; and Resolution No. 2020-30 establishing the Truth in Taxation public meeting date as December 1, 2020 to discuss the proposed levy and budget for taxes payable 2021 for the City of Long Lake. Ayes by roll call: Dyvik, Skjaret, Jerde, and Miner. Nay by roll call: Kvale.

Council member Kvale noted that while she had no objection to establishing the Truth in Taxation meeting date and time, she was not supportive of the preliminary levy proposed which would result in collecting \$137,000 surplus over operating and debt service requirements.

Council member Dyvik indicated that he was okay with the levy proposed recognizing that of that surplus mentioned, \$80,000 would be allocated towards Pavement Management Plan improvements.

Motion carried.

OTHER BUSINESS

Final Levy Adoption in December – Council member Dyvik reiterated for any meeting viewers that the Council had adopted the preliminary levy only, and the final levy will be decided in December.

Signal at Wurzer Trail Pedestrian Crossing – Council member Dyvik recalled that Council had previously discussed adding a pedestrian signal at the Wurzer Trail crossing point. Originally the Council had determined to wait to move forward until the County had completed its work in town. Weske recalled that one of the biggest concerns previously had been the expense of the equipment, recognizing that the City would be responsible to cover the cost. That said, a pedestrian crossing could be a capital improvement item for the coming year. He also noted that a right of way permit would likely be required by the County as well. Mayor Miner shared prior communications that had occurred with Commissioner Callison's office last summer that had resulted in a commitment to study three crossing locations, and indicated he would forward the correspondence to Weske for follow up. Council member Skjaret mentioned other locations to consider for pedestrian crossings, including at Heather Lane and potentially in the area of Orono Station and the strip mall across the street. Council members Skjaret and Jerde voiced support for a crossing signal at Wurzer Trail, with both sharing negative personal experiences at the crossing. Council member Skjaret also noted that his home backs up to the trail, and he's observed the trail in use from daylight to sundown. Mayor Miner added that he also uses the trail often.

Letters Re: Glenmoor Lane Parking Issue – Moeller confirmed she has been receiving responses from Glenmoor Lane residents regarding the issue of restaurant on street parking along the road. Interestingly, the majority received so far had selected a "do nothing" option, but responses are still expected to come in.

Technology Upgrades – Moeller indicated that City Hall’s server was finally upgraded to Windows 10, and a remote working solution has been implemented in the event City staff need to work from home during the pandemic.

Early Voting Update – Moeller reported that online applications by voters to receive their absentee ballots by mail continue to be made daily. She noted that she continues to have confidence in mail delivery, and referenced the example of the volume of Christmas holiday mail delivered successfully each year versus one ballot per person.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:58 pm.

Respectfully submitted,

Scott Weske
City Administrator